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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/779,900 | 02/08/2001 | Norbert Ohlenbusch | P0663/7015 (RMA) | 6608 |

23628 7590 11/03/2004

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| EXAMINER |
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GESESSE, TILAHUN

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| ART UNIT | PAPER NUMBER |
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2684

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/779,900

Applicant(s)

OHLENBUSCH ET AL.

Examiner

Tilahun B Gesesse

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/13, 11/03 & 1/30/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4,10-16,21-35,40-43,48-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Morelli et al "Morelli" (US 6,236,674)

Claims 1-3, Morelli discloses a method for implementing two-way communication between at least first and second devices (base stations (206-207)"master station" and mobile terminals (210) "slaves" having two-way communication, see figure 10), during finite time periods following transmission of respective first messages from the first device (206-207) to the second device (210), using the first device to listen for second messages transmitted from the second device to first device (see figure 6A&B); and after each of the finite time periods following the transmission of the respective first messages from the first device to the second device (figure 6B, column 6, lines 51-65), ceasing to use the first device to listen for second messages transmitted from the second device to the first device until after the first device transmits another first message to the second device (receive packet and transmit response packet back to

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transmitter for acknowledgement then the device goes sleep mode to save power , see column 2, lines 37-58, column 6, lines 51-65 and schematic figure 7 and its description,).

Claim 4, Morelli discloses receiving a sensor input with the first device (the receiver 16 is switch to active mode and upon sensing weak signal receiver sleep mode column 14, line 19-64), and in response to the sensor input, with the first device, generating processed data for inclusion in at least one of the first messages that are transmitted to the second device (column 14, lines 19-64 and figure 5).

Claim 10, Morelli discloses during finite time periods following transmission of respective third messages from a third device (207) to the second device (210), using the third device to listen for second messages transmitted from the second device to the third device (column 2, lines 37-58, column 6, lines 51-65), and after each of the finite time periods following the transmission of the respective third messages from the third device to the second devices ceasing to use the third device to listen for second messages transmitted from the second device to the third device until after the first device transmits another first message to the second device (column 2, lines 37-58, column 6, lines 51-65 ,column 20 lines 11-33 and figure 10).

Claims 11-12, Morelli discloses the second device communicates with each of the first and third devices via at least one wireless communication link, (figure 10) during the finite time periods following the transmission of the respective first messages from the first device to the second device, powering on a receiver of the wireless communication link which is included in the first device column 2, lines 37-58, column 6, lines 51-65); after each of the finite time periods following the transmission of the

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respective first messages from the first device to the second device, powering off the receiver included in the first device, during the finite time periods following the transmission of the respective third messages from the third device to the second device, powering on a receiver of the wireless communication link which is included in the third device column 2, lines 37-58, column 6, lines 51-65) and, after each of the finite time periods following the transmission of the respective third messages from the third device to the second device, powering off the receiver included in the third device (column 15, line 36-column 21 line 24 and figures 6A-10).

Claims 13-16, 21-23, they are method claims corresponding to the apparatus claims 1-3,11-12 above. Therefore, Claims 13-16,21-23 are analyzed and rejected as previously discussed with respect to claims 1-3,11-12.

Claims 24-27. Morelli discloses first device capable of engaging in two-way communication with at least a second device (figure 10), a transmitter (12) a receiver (16), and at least one controller (30) coupled to the transmitter and the receiver, the at least one controller(30) being configured to power on the receiver to listen for second messages from the second device during finite time periods following use of the transmitter to transmit respective first messages to the second device column 2, lines 37-58, column 6, lines 51-65), and being further configured to power down the receiver after each of the finite time periods following use of the transmitter to transmit respective first messages to the second device (figures 1 and 6A-10 and 15 lines 36-column 19, line 10) .

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Claims 28-30, they are apparatus claims corresponding to the apparatus claims 24-27 above. Therefore, claims 28-30 are analyzed and rejected as previously discussed with respect to claims 24-27.

a. Claim 31, Morelli discloses a first device (207 of figure 10) capable of engaging in two-way communication with at least a second device, (figure 10) means for using the first device (207) to listen for second (210) messages transmitted from the second device to first device during finite time periods following transmission of respective first messages from the first device to the second device (column 2, lines 37-58), and means for, after each of the finite time periods following the transmission of the respective first messages from the first device to the second device, ceasing to use first 30 device to listen for second messages transmitted from the second device to the first device until after the first device transmits another first message to the second device (column 2, lines 37-58, column 6, lines 51-65 and figure 10).

Claims 32-35,40, they are apparatus claims corresponding to the apparatus claims 24-27 above. Therefore, claims 32-35,40 are analyzed and rejected as previously discussed with respect to claims 24-27.

Claims 41-43,48-50, they are apparatus claims corresponding to the method claims 24-27 above. Therefore, claims 41-43,48-50 are analyzed and rejected as previously discussed with respect to claims 24-27.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-9,17-20,36-39,44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morelli in view of Durst et al "durst" (6,71,213)

Claims 5-9, Morelli does not disclose an accelerometer supported by a person in locomotion on foot and generating as the processed data at least one of at least one foot contact time, wristwatch and display on wristwatch information . However, Durst discloses an object locator "person" on foot and generates data at least one foot contact time , wristwatch and display on wristwatch information (column 3, lines 33-54 ,column 4, lines 17-column 5, lines 9 and figures 1-3). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to locate and generate data with wristwatch by displaying the data information on the wristwatch , as taught by Durst, in order to exchange data with central station or master for coordinating the rescuing sub units or stations displaying data information on wristwatch device.

Claims 17-20, they are method claims corresponding the method claims 5-9, above. Therefore, Claims 17-20, are analyzed and rejected as previously discussed with respect to claims 5-9.

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Claims 36-39, they are method claims corresponding the method claims 5-9, above. Therefore, Claims 36-39, are analyzed and rejected as previously discussed with respect to claims 5-9.

Claims 44-47, they are method claims corresponding the method claims 5-9, above. Therefore, Claims 44-47, are analyzed and rejected as previously discussed with respect to claims 5-9.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takahashi et al (6,650,629) discloses in the CDMA environment , a local call is directly made between tow mobile stations and the CDMA based unit includes master unit and slave units which selects one or currently unused offset values in a pilot signal for a local direct call in the CDMA environment, abstract.

Keba et al (US 5,606,728) discloses a technique substantially reduces power consumption of a selective call radio while the selective call radio is in an inactivated state (abstract).

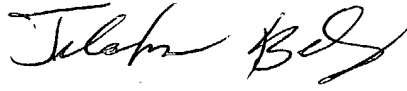
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 703-308-5873. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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TILAHUN GESESSE
PATENT EXAMINER

October 27, 2004